

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Hubbell et al.	Confirmation No.:	5903
Serial No.:	09/496,231	Art Unit:	1651
Filed:	February 1, 2000	Examiner:	L.B. Lankford
		Customer No.:	21559
Title:	BIOMATERIALS FORMED BY NUCLEOPHILIC ADDITION REACTION TO CONJUGATED UNSATURATED GROUPS		

DECLARATION UNDER 37 C.F.R. § 1.131 OF PRIOR INVENTION

Under 37 C.F.R. § 1.131, we declare:

1. We are the inventors of the subject matter that is described and claimed in the above-captioned patent application.
2. The enclosed Exhibit is a copy of pages from the laboratory notebook of inventor Alison Pratt, which show that we had reduced to practice the generic invention of the relevant claims prior to August 20, 1998. In particular, these pages show conception of the reaction of multi-cysteine peptides, containing multiple nucleophilic groups, with poly(ethylene glycol) (PEG) acrylates and vinyl-sulfone PEG, containing multiple conjugated unsaturated groups. In addition, these pages report experimental results showing the formation of a gel from the reaction of a polythiol, trimethylolpropane tris(3-mercaptopropionate), with PEG acrylate. The work documented in the Exhibit was performed in Switzerland after January 1, 1996 (but before August 20, 1998).

3. All statements made herein of our own knowledge are true and all statements made on information and belief are believed to be true; and further these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

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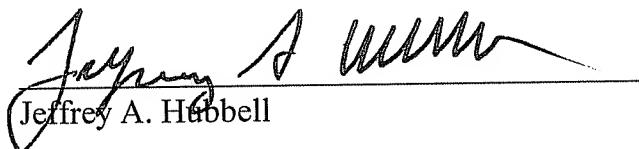
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Ronald Schoenmakers

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Nicola Tirelli

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Brent Vernon

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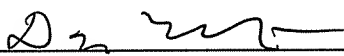
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Jeffrey A. Hubbell

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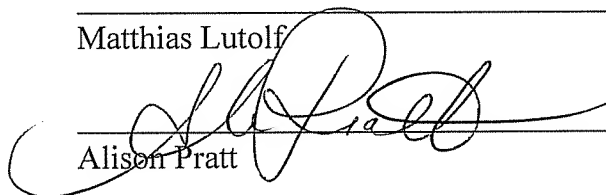
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Alison Pratt



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Ronald Schoenmakers

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Ronald Schoenmakers

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*Nicola Tirelli*  
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Nicola Tirelli

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Nicola Tirelli

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Brent Vernon